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Attorneys for Plaintiff and Real Party in Interest

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

INTERNATIONAL CHURCH

FOURSQUARE GOSPEL,

Plaintiff,

v.

CITY OF SAN LEANDRO, MICHAEL

J. GREGORY, SURLENE G. GRANT,

DIANA M. SOUZA, JOYSE R.

STAROSCIACK, BILL STEPHES, JIM

PROLA, JOHN JERMANIS, DEBBIE

) Case No.: CO7-03605-PJH-JCS

)

) **DECLARATION OF CELEBRATE**  
) **RECOVERY DIRECTOR RAUL**  
) **RICO IN SUPPORT OF MOTION**  
) **FOR PRELIMINARY INJUNCTION**

)

) Date: September 5, 2007

) Time: 9:00 a.m.

) Courtroom: 3

) Hon.: Phyllis J. Hamilton

)

)

DECLARATION OF RAUL RICO

1 POLLART, DOES 1-50 )  
2 Defendants. )  
3 )  
4 FAITH FELLOWSHIP FOURSQUARE )  
5 CHURCH, )  
6 Real Party in Interest. )  
7 )

8 I, Raul Rico, do hereby declare as follows:

9 1. That if called upon, I could and would testify truthfully, as to my own  
10 personal knowledge as follows:  
11

12 2. I am the Celebrate Recovery Director at Faith Fellowship Worship  
13 Center, located at 577 Manor Boulevard, San Leandro, California 94579.  
14

15 3. I am writing on behalf of Faith Fellowship Celebrate Recovery. We  
16 have recovery for hurts, habits, and hang-ups. This not only deals with chemical  
17 dependencies but other issues, such as anger, co-dependency, sexual addictions, and  
18 many others. We have people attend from our church, other churches, people in our  
19 community, and we also get some of the homeless in our area. There is such a need  
20 in our community for a Bible-based recovery program.  
21

22 4. Our main issue is lack of space. We have tripled in size over a one year  
23 period and continue to grow. When we deal with different issues we need  
24 specialized groups to accommodate this. The problem being that we use almost all  
25 the available space the church has to offer. Due to issues of privacy, we require a  
26  
27  
28

DECLARATION OF RAUL RICO

1 safe place and anonymity in our groups. Our special groups have to be done in  
2 rooms and not an open arena. This is the problem we are facing. We need a larger  
3 church to match the growth of our ministry and the needs of our community.  
4

5 5. On Monday, July 16, 2007, we could not break off into small issue  
6 specific groups. We were limited to only having a general meeting. The current  
7 facility did not have enough separate room space to accommodate the ministry's  
8 issue specific groups. Not being able to break off into smaller groups defeats the  
9 purpose of having the Celebrate Recovery Ministry because the communities need  
10 to obtain individualized assistance is not met.  
11  
12

13 6. Facility space restrictions limit our ability to expand and advertise our  
14 Faith Fellowship Celebrate Recovery Ministry. Community need is there, but we  
15 are no able to meet it. All we ask for is a little more space to conduct community  
16 services to assist people in our congregation and the community who are struggling  
17 with debilitating addictions.  
18

19 7. God has called upon me to direct the Faith Fellowship Celebrate  
20 Recovery Ministry. God has placed this burden on me and on my church. I feel an  
21 incredible obligation to fulfill his mission. Not being able to expand and not being  
22 able to fulfill community addiction counseling need makes me feel further from  
23 God, which pains my heart. Faith Fellowship's and my own personal religious  
24 mission is to provide human aid to all of those in need. I personally believe that  
25  
26  
27  
28

1 when I help an individual I am assisting Christ, himself. This is based upon the  
2 denomination and the church's literal reading of the New Testament passage in  
3 which Jesus stated that helping those in need is deemed ministering to Christ, i.e.,  
4 "whatever you did for one of the least of these brothers of mine, you did for me."  
5 (Matt. 25:40) The space encumbrance significantly obstructs the ability of this  
6 ministry to accomplish this mission. By denying use of the Catalina site the City of  
7 San Leandro is causing this impediment.  
8

10 8. All of this has been a significant hindrance on my church and on me.  
11 Not being able to use the Catalina property takes away our ability to conduct and  
12 expand this needed ministry service of which our practice of religion requires.  
13

14 I declare, under penalty of perjury under the laws of the State of California  
15 and the United States of America, that the foregoing is true and correct and is of my  
16 own personal knowledge, and indicate such below by my signature executed on this  
17 23<sup>rd</sup> day of July, 2007, in the County of Alameda, City of San Leandro.  
18

24 /S/ Raul Rico  
25 Raul Rico, Declarant  
26  
27  
28

DECLARATION OF RAUL RICO

**Attorney Attestation re Signature**

I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.

/S/ Kevin Snider

Kevin T. Snider

Mathew B. McReynolds

Peter D. MacDonald

Attorneys for Plaintiff and

Real Party in Interest